

**Notice of Allowability**

Application No.

10/809,938

Examiner

Mark T. Vogelbacker

Applicant(s)

HOSHIDE ET AL.

Art Unit

3677

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 11/03/2005.
2. ☒ The allowed claim(s) is/are 8-13.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |  |
|--|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)                      |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____ |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date <u>08/04/2004</u> | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                              |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material                                 | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance             |
|  | 9. <input type="checkbox"/> Other _____  |

### **DETAILED ACTION**

1. Claims 1-7 are withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected retracting apparatus, there being no allowable generic or linking claim. Applicant timely did not traverse the restriction (election) requirement in the reply filed on November 3, 2005; so therefore, the election is treated as an election without traverse.

The requirement is still deemed proper and is therefore made FINAL.

This application is in condition for allowance except for the presence of claims 1-7 to an invention non-elected without traverse in the reply filed on November 3, 2005. Therefore, the Examiner has canceled claims 1-7.

### ***Examiner's Amendment***

2. An examiner's amendment to the record appears below. Authorization for this examiner's amendment was given in a telephone conversation with Scott M. Daniels on November 22, 2005.

The examiner has amended the application as follows:

#### **In the Claims:**

Claim 8, line 3 of page 48, delete "moving" before "end position";

Claim 8, line 4 of page 48, delete "moving" before "end position";

Claim 8, line 5 of page 48, delete "moving" before "end position" and delete "moving" following "another";

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Claim 8, line 7 of page 48, delete “moving” before “end position” and delete “moving” following “another”;

Claim 8, line 9 of page 48, delete “moving” before “end position”;

Claim 8, line 10 of page 48, delete “moving” before “end position”;

Claim 8, line 17 of page 48, delete “moving” before “side” and delete “moving” following “another”;

Claim 8, line 19 of page 48, replace “portion” with “groove”;

Claim 8, line 20 of page 48, delete “of a moving direction”;

Claim 8, line 1 of page 49, delete “moving” before “end position”;

Claim 8, line 2 of page 49, delete “moving” before “end position”;

Claim 8, line 3 of page 49, replace “a” before “guiding” with “said”;

Claim 8, line 5 of page 49, replace “portion” with “groove”;

Claim 8, line 7 of page 49, replace “portion” with “groove”;

Claim 8, line 12 of page 49, delete “moving” before “end position”;

Claim 8, line 13 of page 49, delete “moving” before “end position”;

Claim 8, line 14 of page 49, delete “moving” before “end position”;

Claim 8, line 15 of page 49, delete “moving” before “end position”;

Claim 8, line 23 of page 49, delete “moving” following “another”;

Claim 8, line 24 of page 49, delete “moving” before “end position”;

Claim 9, line 1 of page 50, delete “moving” before “end position”;

Claim 9, line 2 of page 50, delete “moving” before “end position”;

Claim 9, line 3 of page 50, delete “moving” before “end position”;

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Claim 9, line 4 of page 50, delete “moving” before “end position”;

Claim 9, line 7 of page 50, delete “moving” before “end position” and delete “moving” following “another”;

Claim 9, line 9 of page 50, delete “moving” before “end position” and delete “moving” following “another”;

Claim 9, line 11 of page 50, delete “moving” before “end”;

Claim 9, line 13 of page 50, delete “moving” before “end position”;

Claim 10, lines 2-3, replace “the apparatus” following “with respect to” with “a cabinet”;

Claim 10, line 6, replace “apparatus” with “cabinet”;

Claim 10, line 7, replace “apparatus” with “cabinet”;

Claim 10, line 10, replace “apparatus” with “cabinet”;

Claim 11, lines 1-2 of page 51, replace “the apparatus” following “with respect to” with “a cabinet”;

Claim 11, line 5 of page 51, replace “apparatus” with “cabinet”;

Claim 11, line 6 of page 51, replace “apparatus” with “cabinet”;

Claim 11, line 9 of page 51, replace “apparatus” with “cabinet”;

Claim 12, line 2, replace “an apparatus” with “a cabinet”;

Claim 12, line 3, replace “apparatus” with “cabinet”;

Claim 12, line 8, replace “apparatus” with “cabinet”;

Claim 12, line 9, replace “apparatus” with “cabinet”;

Claim 13, line 2 of page 51, replace “an apparatus” with “a cabinet”;

Claim 13, line 3 of page 51, replace “apparatus” with “cabinet”;

Claim 13, line 8 of page 51, replace "apparatus" with "cabinet";

Claim 13, line 1 of page 52, replace "apparatus" with "cabinet";

### ***Reasons for Allowance***

3. The following is an examiner's statement of reasons for allowance: the prior art or record fails to show or fairly suggest the combination as claimed including a large diameter portion at one end of the guiding groove wherein the sliding pin, provided within the sliding member, rotates in an orthogonal direction and locks the sliding member. Once the sliding pin locks, the engagement between the sliding member and the driving member is cancelled. The device as claimed is non-equivalent and substantially different from the prior art of record.

Any comments considered necessary by Applicant must be submitted no later than the payment of the issue fee, and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark T. Vogelbacker whose telephone number is 571-272-1648. The examiner can normally be reached on 8:00 am - 5:30 pm M-F.

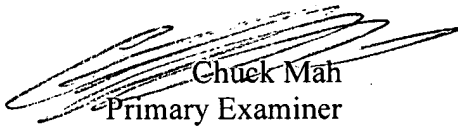
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J.J. Swann can be reached on (571) 272-7075. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mark Vogelbacker  
Assistant Examiner  
Art Unit 3677

MTV



Chuek Mah  
Primary Examiner  
Art Unit 3677